MARCH 24, 2020 | TUESDAY ISSUE 194

THE DAILY LIFELINE

Official Newsletter of Diucon

WHAT'S NEW IN PROFESSIONAL/ BUSINESS WORLD TODAY

Goods & Service Tax
Direct Tax Code
Income Tax
Economy | Finance
Insolvency Laws
Corporate Laws

BIGGEST CHALLENGE- HOW TO KEEP UPDATED ON DAILY BASIS

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Laws are changing frequently in India, there are big developments and announcements on daily basis in Economic & Finance world and many other reforms are on the way. This newsletter will keep you updated on daily basis along with documents taken from authentic sources.

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UPDATES RELATED TO

- **New Direct Tax Code**
- **Goods & Service Tax & Other Indirect Taxes**
- **Income Tax**
- **Announcements by ICAI**
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- **Corporate Laws**
- **The Insolvency and Bankruptcy Law**
- **Security and Exchange Board of India (SEBI)**
- **Director General of Foreign Trade (DGFT)**
- **Start-ups**
- **Micro, Small & Medium Enterprises**
- **Reserve Bank of India**
- **New acts notified/Bills introduced in parliament or Executive orders by President**
- **Economy & Finance.**

[From Monday to Friday 5 days a week as Saturdays and Sundays being holiday and closure of all government departments hence no updates]

Goods & Service Tax & other Indirect taxes

- **Notifications/Circulars/Press releases/FAQs/Portal Updates/Write-ups by CBIC/Government**

  - **CBIC issued Notifications to implement the decisions of 39th GST Council Meeting held on 14.03.2020.**

    - **CENTRAL TAX- NON TARIFF**

SN	Notification details			
	Powers under section/rules	**No.**	**Date**	**Description**
1	Section 148- special procedure	10	23/03	Special procedure for taxpayers in Dadra and Nagar Haveli and Daman and Diu consequent to merger of the two UTs.
2	Section 148- special procedure	11	23/03	Special procedure for corporate debtors undergoing the corporate insolvency resolution process under the Insolvency and Bankruptcy Code, 2016
3	Section 148- special procedure	12	23/03	No requirement for furnishing FORM GSTR-1 for 2019-20 for taxpayers who could not opt for availing the option of special composition scheme under notification No. 2/2019-Central Tax (Rate)
4	Rule 48(4)	13	23/03	Exempt certain class of registered persons from issuing e-invoices and the date for implementation of e-invoicing extended to 01.10.2020
5	Sixth proviso to rule 46	14	23/03	Exempt certain class of registered persons capturing dynamic QR code and the date for implementation of QR Code to be extended to 01.10.2020
6	Section 44(1)/ Rule 80	15	23/03	Extend the time limit for furnishing of the annual return specified under section 44 of CGST Act, 2017 for the financial year 2018-2019 till 30.06.2020.
7	Section 164	16	23/03	Central Goods and Services Tax (Third Amendment) Rules, 2020- **1. New sub-rule 4A inserted in Rule 8** Authentication of Aadhaar number for registration is compulsory from 01.04.2020

				2. Proviso is inserted in rule 9(1) w.e.f. 01.04.2020 If certain notified persons [(U/s 25(6D)] fail to undergo authentication of Aadhaar number, then the registration shall be granted only after physical verification of the principle place of business. **3. Rule 25 substituted by new Rule 25** Physical verification of business premises when proper officer is satisfied that the physical verification of the place of business of a person is required due to failure of Aadhaar authentication before the grant of registration, or due to any other reason after the grant of registration. **4. Rule 43(1) amended with effect from 01/04/2020** Manner of determination of input tax credit in respect of capital goods and reversal thereof in certain cases- certain amendments. **5. New proviso inserted in rule 80(3)** Every registered person whose aggregate turnover during the financial year 2018-2019 exceeds five crore rupees shall get his accounts audited as specified under subsection (5) of section 35. **6. New sub-rule 4A inserted in rule 86** If a registered person has claimed refund of any amount paid as tax wrongly paid or paid in excess *for which debit has been made from the electronic credit ledger*, the said amount shall be re-credited to the electronic credit ledger by the proper officer by an order made in FORM GST PMT-03. **7. Clause (c) of Rule 89(4) substituted with news clause (c)** Formula, to calculate refund of input tax credit in the case of zero-rated supply of goods or services or both without payment of tax under bond or letter of undertaking, is changed. **8. new Sub-rule (1A) inserted in rule 92.** 1. Manner of issuance of refund of any amount paid as tax other than the refund of tax paid on zero-rated supplies or deemed export, changed by this sub rule. 2. sub-rule (4) and (5) amended. **9. with effect from 23/10/2017, explanation in rule 96, in sub-rule (10) in clause (b) inserted.**

				10. New rule 96B "Recovery of refund of unutilised input tax credit or integrated tax paid on export of goods where export proceeds not realised" inserted. **11. sub-rule (2) of rule 141 amended** To empower proper officer in place of commissioner for disposal of seized goods. **12. in FORM GST RFD-01, after the declaration under rule 89(2)(g), the following undertaking shall be inserted-** **"UNDERTAKING"** I hereby undertake to deposit to the Government the amount of refund sanctioned along with interest in case of non-receipt of foreign exchange remittances as per the proviso to section 16 of the IGST Act, 2017 read with rule 96B of the CGST Rules 2017.
8.	Section 25(6D)	17	23/03	**Specify the class of persons who shall be exempted from aadhar authentication.** Person who is not a citizen of India or a class of persons, other than individual, authorised signatory of all types, Managing and Authorised partner and Karta of a Hindu undivided family, exempted from producing adhaar for registration.
9	Section 25(6B)	18	23/03	Notify 1st April 2020 as date from which **an individual** shall undergo authentication, of Aadhaar number in order to be eligible for registration.
10	Section 25(6C)	19	23/03	Specify class of persons, **other than individuals** who shall undergo authentication, of Aadhaar number in order to be eligible for registration and also Notify 1st April 2020 as effective date.
11	Section 39(6) read with section 168	20	23/03	Extend due date for furnishing FORM GSTR-7 for those taxpayers whose principal place of business is in the erstwhile State of Jammu and Kashmir for the July, 2019 to October,2019 and November, 2019 to February, 2020. Last date is on or before the 24th March, 2020.

12	Section 148- special procedure	21	23/03	Extend due date for furnishing FORM GSTR-1 for registered persons whose principal place of business is in the erstwhile State of Jammu and Kashmir or the Union territory of Jammu and Kashmir or the Union territory of Ladakh for the quarter October-December, 2019 till 24th March, 2020
13	Section 37(1) read with section 168	22	23/03	Extend due date for furnishing FORM GSTR-1 for registered persons whose principal place of business is in the erstwhile State of Jammu and Kashmir, and having aggregate turnover of more than 1.5 crore rupees in the preceding financial year or current financial year, for the month of October, 2019 and November, 2019 to February till 24th March, 2020.
14	Second proviso to Section 37(1) read with section 168	23	23/03	Extend due date for furnishing FORM GSTR-1 for registered persons whose principal place of business is in the erstwhile State of Jammu and Kashmir, by such class of registered persons having aggregate turnover of more than 1.5 crore rupees in the preceding financial year or current financial year, for each of the months from July, 2019 to September, 2019 till 24th March, 2020.
15	Section 148- special procedure	24	23/03	Seeks to extend due date for furnishing FORM GSTR-1 for registered persons whose principal place of business is in the erstwhile State of Jammu and Kashmir, for the quarter July-September, 2019 till 24th March,2020.
16	Section 168- Instructions or directions	25	23/03	Extend due date for furnishing FORM GSTR-3B for the months of October, 2019 , November, 2019 to February, 2020 for registered persons whose principal place of business is in the erstwhile State of Jammu and Kashmir on or before the 24th March, 2020
17	Section 168- Instructions or directions read with rule 61(5)	26	23/03	Extend due date for furnishing FORM GSTR-3B of the said rules for the months of July,2019 to September, 2019 for registered persons whose principal place of business is in the erstwhile State of Jammu and Kashmir, shall be furnished electronically through the common portal, on or before the 24th March, 2020

18	Section 148- special procedure	27	23/03	Prescribe the due date for furnishing FORM GSTR-1 for the quarters April, 2020 to June, 2020 and July, 2020 to September, 2020 for registered persons having aggregate turnover of up to 1.5 crore rupees in the preceding financial year or the current financial year.
19	second proviso to section 37(1) read with section 168	28	23/03	Prescribe the due date for furnishing FORM GSTR-1 by such class of registered persons having aggregate turnover of more than 1.5 crore rupees in the preceding financial year or the current financial year, for each of the months from April,2020 to September, 2020
20	Section 168- Instructions or directions read with rule 61(5)	29	23/03	Prescribe return in FORM GSTR-3B of CGST Rules, 2017 along with due dates of furnishing the said form for April, 2020 to September, 2020

[Click on notification no to download the notification]

❖ **CBIC issued below circulars.**

SN	Circular details			
	Powers under section	**No.**	**Date**	**Description**
1	Section 168	133 03/2020-GST	23/03	Clarify issues in respect of apportionment of input tax credit (ITC) in cases of business reorganization under section 18 (3) of CGST Act read with rule 41(1) of CGST Rules.
2	Section 168	134/04/2020-GST	23/03	Clarify issues in respect of issues under GST law for companies under Insolvency and Bankruptcy Code, 2016

- **Legal updates- Advance Ruling Authorities/Tribunals/High Courts/Supreme Court**

Sr.No.	Key to find the document	Authority who passed the order	Details of decision	
			Provisions discussed	Decision
1	[2020] 115 taxmann.com 171 Goa Industrial Development Corporation, In re* ADVANCE RULING NO. GOA/GAAR/01 OF 2019-20/1875 OCTOBER 17, 2019	Authority for Advance Rulings, Goa	Section 7	Where applicant had entered into agreement with seven parties to lease out land and this could not materialize due to protest from public and thereupon applicant paid back original amount taken from parties along with compensation, compensation paid would qualify as supply.

Income Tax

- **Notifications/Circulars/Instructions/Press releases/FAQs by Board/Government**

❖ **Due date to file Tax Audit Reports & ITRs for J&K and Ladakh assessee's extended to March 31, 2020: CBDT**

The CBDT has further extended the due date for filing of tax audit reports & income-tax returns (ITRs) to March 31, 2020 for all categories of the income-tax assessee's in the Union Territory of Jammu and Kashmir and Union Territory of Ladakh. Extension was made considering the disturbed internet facility in those arrears.

Source- Taxmann.com

❖ **Finance Bill, 2020 passed by the Lok Sabha**

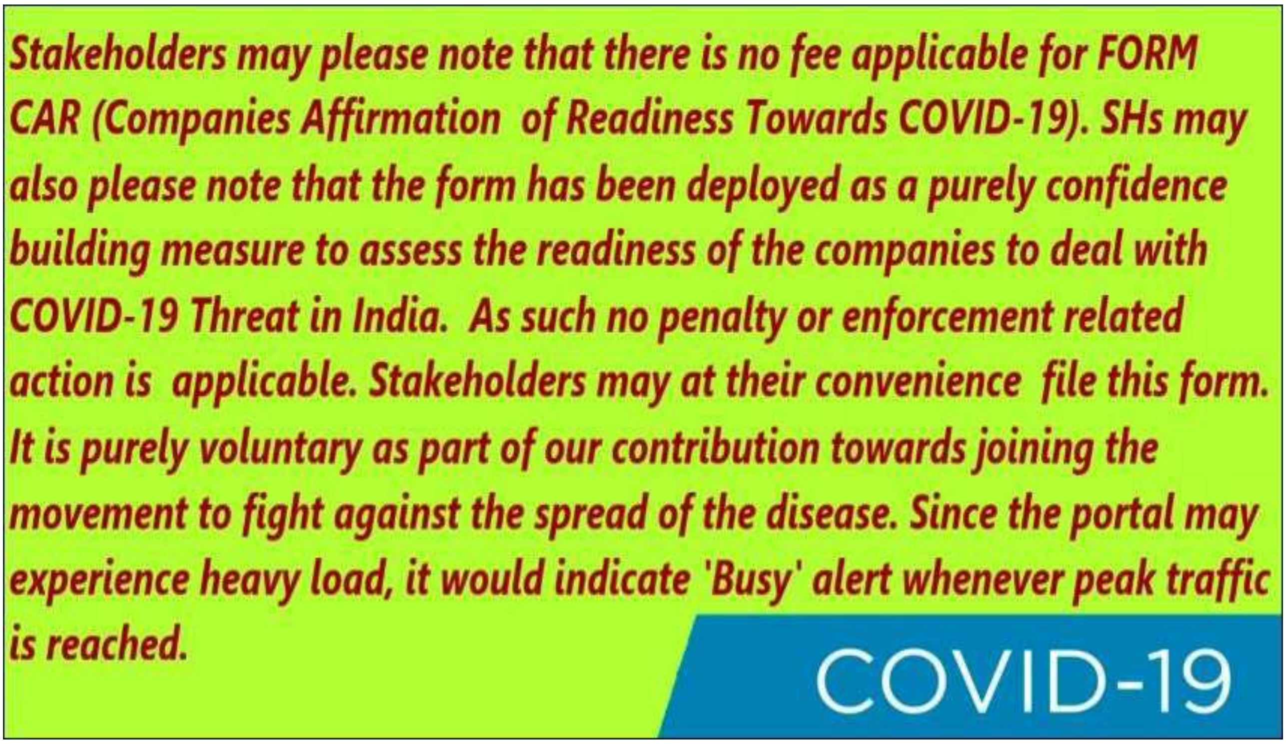
The Lok Sabha has passed the Finance Bill, 2020 on March 23, 2020. More than 50 changes have been introduced in the Bill which was originally presented in the Lok Sabha on February 01, 2020.

Announcement by ICAI

- **Important announcement for Students**
  ICAI will take all suitable steps as and when the situation become clearer on COVID 19 and in the overall interest of its dear students. In the meantime, the students may concentrate on their studies for May 2020 ICAI Examinations and be not swayed by any misleading communications spreading through internet by unscrupulous sources. Students may also note that ICAI website is the only source for the authenticity of the information and should not rely upon details circulating over social media.
  Read detailed announcement here

- **Covid-19: Important Announcement for Members**
  Read here

Corporate Laws



- **View Public Document (VPD) requests would be disabled till 31st March 2020. MCA advise stakeholders to plan accordingly.**

- **MCA's Clarification on spending of CSR funds for COVID-19**
  MCA general circular no 10/2020 here

The Insolvency and Bankruptcy Law

- **Notification/Circular/Press release/ Write-ups/Newsletters by IBBI/Government**

❖ **Supreme Court's Suo Motu Writ Petition (Civil) No(s) 3 -2020 in Cognizance for Extension of Limitation.**
period of limitation in all proceedings, irrespective of the limitation prescribed under the general law or Special Laws whether condonable or not shall stand extended w.e.f. 15th March 2020 till further order/s to be passed by this Court in present proceedings.
Order here

❖ **Closing of NCLT benches till 31st March, 2020**
All NCLT benches shall remain closed from 23.3.2020 to 31.3.2020 for the purpose of judicial work, as to unavoidable urgent matters, on application by the aggrieved, through email to the registry NCLT Chennai after service of notice to the other side, Hon'ble Acting President sitting singly at Chennai will examine and pass necessary orders on Wednesday and Friday.
Notice here

Economy & Finance

❖ **EPFO issues Directions for timely credit of monthly Pension to EPS Pensioners.**
Central Provident Fund Commissioner has directed the field offices of EPFO to generate and reconcile pensioners' details and pension amount statements for the current month by 25th March, 2020. He further directed that the same should be forwarded to the banks in advance so that the monthly pension is credited into the account of the pensioners in time i.e. during the month of March itself.
Ministry of Labour & Employment Release

❖ **Covid-19 impact: Govt may extend Mar 31 deadline for paying income-taxes**
In an unprecedented move, the central government is likely to extend the March 31 deadline of paying income taxes by a month, in view of Covid-19 pandemic, said two officials privy to the development. If situation worsens, it may be pushed till June end, officials added.
Business Standard Report

Knowledge shared= Knowledge^2

About Scribbler

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Profile

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